

रजिस्ट्रं नं० HP/13/SML/2004.



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, बुधवार, 11 अगस्त, 2004/20 भावण, 1926

हिमाचल प्रदेश सरकार

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla-2, the 29th July, 2004

No. TPT-F(1)4/2003.—The Governor, Himachal Pradesh, in supersession of this department notification No. TPT-F(1)2/96-Transport Policy, dated 23-4-1999 is pleased to order the formulation of Transport Policy, 2004 and the same is hereby notified/published for general information of all concerned.

This new Transport Policy, 2004 shall come into force with immediate effect.

By order,

AVAY SHUKLA,
Principal Secretary (Transport).

1504-राजपत्र/2004-11-8-2004—1,426.

(1497)

मूल्य : 1 रुपया ।

TRANSPORT POLICY

Liberalization of the Road Transport Sector introduced under the amended Motor Vehicles Act, 1988, by the Government of India, resulted in rapid increase in private participation in the Transport Sector. Introduction of new fuel-efficient models of automobiles, coupled with easy access to finance, increased the number of Motor Vehicles and the annual rate of growth of Motor Vehicles in the State. Along with this came the consequent problems/ complications in traffic management. Besides, emerging trends and concepts in the Road Transport Sector especially in computerization, regulation and management made a case for reviewing the existing Transport Policy so as to make it more compliant and responsive to the present day needs of this sector. Through this Transport Policy the Government of Himachal Pradesh proposes to lay down a road map for the growth of this sector.

OUR VISION

A prosperous Himachal Pradesh with Transport playing a key role in balanced regional development for harnessing the growth potentials of each and every sector of the Himachal Pradesh economy by improving the ability and efficiency of accessing and distributing goods, services and productive capacity with employment opportunities created around the State. The remote and interior parts of the State will be in the focus for augmentation of transportation network.

MISSION STATEMENT

Providing mobility with choice, comfort, convenience, frequency, safety and minimal environmental effects. While the top most priority will be accorded to providing access facilities, efforts will be made to provide a range of transport facilities like buses, cabs, maxi cabs, auto-rickshaws and Goods Carriers with varying range of load bearing capacity and sizes to provide the maximum choice to the consumers and promote competition to maintain cost effectiveness of services. It shall also be the endeavour of the Department to promote alternate modes of transport like water transport and ropeways etc. wherever possible.

1. State Transport Development Council :

The Government proposes to make the whole process of policy making participatory with all the stakeholders contributing to the development of the Transport sector. With this end in view, the Govt. proposes to set up a State Transport Development Council under the chairmanship of the Transport Minister. The Council will concern itself with issues pertaining to the Road Transport Sector more or less akin to the National Transport Development Council. The Council will be an advisory body and will meet periodically and various stakeholders in the Transport Sector viz. Government Departments, industries, State Transport undertakings, Private Operators, Truck Unions, Tourism Industry, a representative of INTUC and one passenger/representative of consumers will be represented.

2. Operation of stage carriages and grant of permits thereof :

- (i) A comprehensive study will be carried out by the Transport Department with a view to:
 - (a) Identify new routes;
 - (b) Modify the existing routes to ensure that private operators also share rural/ uneconomical operations to a certain extent;

- (c) Analyze and assess vehicular requirements and frequency of operation as per passenger load, traffic potential, road capacity and viability of operation in the interest of an efficient, eco-friendly, safer and facilitative road transport system;

(ii) A suitable provision will be made to ensure that no modification of timing/return trips/route etc. is permitted within the initial 2 years of grant of permits. It will be incorporated as an essential condition in the route permit. However, modification can be allowed after one year only in cases where the route has been sanctioned other than the route applied for. Modification will be allowed by the Director of Transport.

(iii) No modification will be permissible where any portion of 'Katcha', 'rural', road is being deleted ;

(iv) All new routes identified in future will have at least 60% rural and interior roads for grant of Stage Carriage permits. Permits will be issued having consideration to geographical conditions of the area/population density and the road capacity. No route permit will be granted for a route which has more than 40% National/State Highway.

3. Tax Free Routes :

(i) Presently there is a provision under the Himachal Pradesh Motor Vehicles Taxation Act, 1972 for exempting certain roads from SRT. However, the exemption is being granted on furnishing a certificate from the PWD authorities. This causes a financial loss to the operators as till such time a certificate is issued by the PWD authorities and produced by the operator before the concerned RTO, the operator has to pay the Special Road Tax. As such, it is proposed that the exemption from payment of SRT will be allowed from the date on which the Road Inspection Committee declares the road fit for vehicular traffic.

(ii) The Transport Department will also undertake an exercise to review all Special Road Tax free roads so that exemption can be disallowed on such roads which have now been metalled.

4. Inspections/Enforcement :

(i) To ensure compliance of conditions of permits and Motor Vehicles Act and Rules, the Transport Department will undertake Special drives periodically to check evasion of tax, violation of conditions of permit, violation of mandatory provisions of Motor Vehicles Act such as drunken driving, driving without license and illegal operation of personal motor vehicle as taxi for hire and reward etc.

(ii) Maintenance of Inspection book by all Stage Carriage/Contract Carriage, operators will be made compulsory by incorporating a condition in the grant of permits. The form and format of the inspection Book will be prescribed by the Transport Department, which will contain serial number of the Inspection Book with countersignature of the concerned RTO and will be checked during routine and surprise inspections.

(iii) The Transport Department will also make a mandatory condition in the route permits requiring all stage carriage/contract carriage holders to have a garbage disposal bin commensurate with the space and capacity of the vehicle so that indiscriminate littering of high-ways and picnic spots by the commuters is avoided.

(iv) Carrying of Photostat copies of essential documents will be totally banned. Defaulters shall be dealt with strictly.

5. Management of the Stage Carriage Vehicles :

The Transport Department is committed to improve passenger convenience, comfort and safety. For doing so the following steps will be taken:—

- (i) Every Stage Carriage Operator will be required to issue ticket to passenger as per the provisions of the Motor Vehicles Act. During checking it shall be specially seen that the provision is strictly enforced. Operators not issuing ticket will face cancellation proceedings.
- (ii) All stage carriage operators will be required to produce a certificate from the Panchayat in the form of a resolution or the Urban Local Body of the starting and terminating points of their route to the effect that the vehicle was plying regularly on the route as per timetable. This certificate will have to be produced at the time of passing of vehicle.
- (iii) The Drivers of stage carriage buses will have to do a rephrased course at least once during the currency of the permit from any approved institution in the State. Such refresher course will be based on improved training on basic courtesies and passenger safety. Training duration shall be for a week. Medical examination by a Medical Board at the time of renewal of licence will be compulsory.
- (iv) All major accident of private buses will also be subject to a fact finding enquiry. Any fault on the part of the operator in maintenance of the vehicle or unauthorized plying of vehicle will entail cancellation of permits.
- (v) In order to ensure that only buses with appropriate wheel base ply on the roads, it will be necessary that at the time of passing of road the maximum wheel base and length of the vehicle that the road is fit to ply will be specified by the Road Inspection Committee.

6. Permit for Luxury Coaches :

(i) The Transport Department will identify routes emanating from all District headquarters covering important destinations viz. religious and tourist spots in consultation with the concerned departments for operation of Air Conditioned Buses within each district to provide a comfortable service to the tourists.

(ii) The H R T C will consider introducing limited Air Conditioned buses on Inter-State routes after entering into agreement with participating States if need be.

7. Facilities to Operators at Bus Stands :

(i) The Himachal Pradesh Bus Stand Management and Development Authority will construct and provide separate booking booths, crew rest rooms and other facilities to the private operators against rent.

(ii) The Himachal Pradesh Bus Stand Management and Development Authority will also provide public utility conveniences including toilets on the pattern of "Sulab Shauchalayas" at all bus stands.

8. Participation of the Police in Operation of Stage Carriages :

The Director of Transport will supply timetables in respect of each stage carriage permit holder to the Police Department to enable them to check violation of adherence of timetables and routes.

9. Inter State Routes :

All Inter State routes will continue to be operated exclusively by the HRTC and existing private operators holding a valid route permit.

10. Colour Pattern for Private Stage Carriage Buses and Buses owned by Educational Institutions

The State Transport Authority will introduce a colour scheme for private bus operators to facilitate identification of buses.

- (i) The Stage Carriage buses of all private operators will be painted as per colour scheme notified by the Department. The particulars of the bus owner shall be written in black letters in uniform strip of 8 cm on both sides of a specified location. The existing permit holders shall switch over to the new colour pattern within two years of the notification of such colour scheme ;
- (ii) All buses owned by the Educational Institutions including Universities will be painted in yellow colour with 8 cm strip in white and showing particulars of the institution on both sides written in black colour. The existing buses will switch over to the new colour pattern within 2 years ;
- (iii) HRTC will continue to use the colour pattern determined by the Corporation subject to the condition that the colour scheme of the HRTC remains distinct from that of the Private Stage Carriages & buses owned by the Educational Institutions

11. Numbering of Intra City Local Buses :

In order to facilitate the public and improve efficiency of services, the Transport Department will allot numbers for every Stage Carriage operating within the city/town. The bus number and routes will also be displayed at the bus stops so that buses do not halt at undesired bus stops.

12. Auto-rickshaws :

Experience in this segment shows that indiscriminate growth of auto-rickshaws in different places in the State has caused twin problems; traffic congestion and pollution due to use of two stroke petrol engines. The department will therefore endeavour to tackle the above two problems while at the same time endeavour to provide this kind of transport facility generally used by the poor people in the State. A survey for assessing the demand of Auto-rickshaws shall be done and specific number of permits Sub-division/Tehsil-wise will be prescribed. All new permits shall be granted only for four stroke engines.

13. Operation of Intra City Local Buses :

The Transport Department will not allow any halt/stage destination in the route permit time-table of local bus operators to ensure smooth flow of traffic. Only the originating destination with starting time and terminus destination with reaching time will be mentioned.

14. Criteria for Issue of Permits :

1. Having regard to the general provisions of the Motor Vehicles Act, 1938, where more than one application is received for grant of Route Permits in respect of any route, special consideration will be given in the following order of priority:—

- (i) Widows/dependant of martyrs;
- (ii) Physically Handicapped;

- (iii) Unemployed Youth;
- (iv) Ex-Servicemen;
- (v) Scheduled Caste/Scheduled Tribes/B. P. L.;
- (vi) Other Backward Classes;
- (vii) Co-operative Societies of the area;
- (viii) Sports persons of National repute.

2. Applicants who are granted new permits will have to purchase vehicles conforming to Euro-II norms.

15. Driving Training School :

(i) The Government will encourage establishment of Driving Training Institutes for heavy vehicles in the private sector.

(ii) In order to ensure safety of passengers and public at large, drivers of Heavy Goods Vehicles and Passenger Vehicles will be required to undergo a training/refresher course at least once for issuance and renewal of their licenses at Driving Training Schools recognized by the Transport Department.

16. Taxis with Meters :

Metered Taxis will be started in Kullu, Manali, Dharamshala, Shimla, Dalhousie, Mandi, Kangra, Palampur, Bhunter, Parwanoo, Solan, Kasauli and all Airports to begin with. Later more towns will be covered under the scheme. Prepaid taxi services shall also be started in these towns. Prepaid taxis system shall be started in Shimla within one month.

17. Redressal of Grievances of Transporters :

The Department will endeavour to open and maintain a dialogue with truck operators to make the relationship interactive. For this, the Director of Transport will hold regular meetings with Unions of the Transporters to discuss issues, problems and obtain their views for improvement of the transport system. The Director of Transport will forward recommendations to the Government for consideration.

18. Development of Transport Nagars :

Experience shows that the support services facilities like workshop spare part shop and pollution check centers are not planned and developed because of which they come up in an unplanned manner causing congestion. The Transport Department will act as a facilitator to develop major Transport Nagars in all major towns to provide this infrastructure in a planned manner. Further, taxi stands will be notified in all towns.

19. Activities of Truck Operators Unions :

The Director of Transport will monitor the functioning of the Truck Unions in the State with a view to check their illegal activities of charging freight over and above the rates fixed by the Government. Suitable environment will be created to enable the industries and individual to negotiate with truck owners union of outside the state in case the local truck union fail to supply truck at appropriate price.

20. Activities relating to Himachal Pradesh Bus Stand Management and Development Authority:

The Authority will make efforts to develop Bus Stands with private sector participation. Bus Stands will be constructed with a view to cater to traffic flow for at least next 15 years.

21. Inspection and Issue of Fitness Certificates :

In order to have an effective inspection and Maintenance system, the Director of Transport will identify Private Service Stations, which can be authorized to conduct periodical fitness of the Transport Vehicles. The Department will also work out modalities with respect to fees and authorization of issue of passing certificates.

22. Computerization of the Transport Department :

With a view to provide efficient services with maximum transparency, the Transport Department will be computerized to enable issuance permits, renewal, countersignature and realization of tax and arrears of tax, and issuance of licenses etc. It shall be the endeavor of the department to provide web-based services in as many areas as possible. The Department will also switch over to the "Smart Card" system of issuance of Driving Licenses, Registration Certificates and Permits as early as possible.

23. Rationalisation of Taxes :

The Transport Department will review the prevalent tax and fee structure in the state and will suitably modify taxes and fees to bring them on par with the neighbouring states and promote private sector participation in the appropriate area and discourage over concentration in saturated areas. Such an exercise will also promote revenue generation, equity and plugging possible leakages.

24. Water Transport Policy :

The Transport Department which is also responsible for water transport in the state, will undertake steps to improve the quality of service and safety and and comfort of passengers. For achieving this end, suitable amendments in the Himachal Pradesh Ferries Act will be made to provide for type of Ferries used in Transport, periodical inspection of Ferries, conditions of grant and operation of permits and safety measures to be undertaken by the operators.

25. Checking Pollution Emissions from the Motor Vehicles :

Keeping in view the fragile ecology of the state and potential of the Motor Vehicles in causing air and noise pollution, the Transport Department will undertake following steps:—

- *The Department will try to introduce Euro-II norms of pollution emission on Motor Vehicles.
- *From 1-10-2004 trucks/buses which conform to pollution norms notified by Government of India only shall be registered in the State.
- *The Department will try to promote usage of alternate fuels like C. N. G. and L. P. G. etc. in Motor Vehicles.
- *It will also be the endeavor of the Department to promote four stroke two wheelers and three wheelers in the State.
- *Suitable provisions will be made to make functioning of Pollution Check Centers more effective.
- *The Transport Department will supply to the Pollution Control Board a list of all private agencies authorized for grant of Pollution Control Certificate so that the activities and operation of these centers could be checked by the Board also.

26. Strengthening of Transport Department :

The endeavor of the Department will be to make it more responsive for providing safe and efficient transport services. Transport barriers shall be set-up at important entry points of the Pradesh to check illegal operations. Mobile barriers shall also be setup when ever and wherever required. Computerisation shall be done on top priority.